UNITED NATIONS **A**

General Assembly

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GENERAL

A/RES/51/127
4 February 1997

Fifty-first session
Agenda item 84

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/591)]

51/127. Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992, 48/40 D of 10 December 1993, 49/35 D of 9 December 1994 and 50/28 D of 6 December 1995,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,[1]

[1] A/51/370.

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,[2]

1. Urges all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D, 44/47 D, 45/73 D, 46/46 D, 47/69 D, 48/40 D, 49/35 D and 50/28 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

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[2] Official Records of the General Assembly, Fifty-first Session, Supplement No. 13 (A/51/13).

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/591)]

51/128. Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,[1]

Taking note of the letter dated 22 September 1996 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, contained in the report of the Commissioner-General,[2]

[1] Official Records of the General Assembly, Fifty-first Session, Supplement No. 13 (A/51/13).

[2] Ibid., p. vii.

Having considered the reports of the Secretary-General submitted in pursuance of its resolutions 48/40 E,[3] 48/40 H[4] and 48/40 J[5] of 10 December 1993 and 49/35 C of 9 December 1994,[6]

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[7]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[8] to the Palestinian territory occupied since 1967, including Jerusalem,

Aware of the fact that Palestine refugees have, for over four decades, lost their homes, lands and means of livelihood,

Also aware of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely, in Lebanon, Jordan and the Syrian Arab Republic,

Further aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Deeply concerned about the critical financial situation of the Agency and its effect on the continuity of provision of necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Aware of the work of the new Peace Implementation Programme of the Agency,

Welcoming the signing in Washington on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization,[9] and the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip signed in Washington on 28 September 1995,

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[3] A/49/440.

[4] A/49/442.

[5] A/49/443.

[6] A/50/451.

[7] Resolution 22 A (I).

[8] United Nations, Treaty Series, vol. 75, No. 973.

[9] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[10]

Aware of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

1. Expresses its appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work;

2. Also expresses its appreciation to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. Welcomes the completion of the transfer of the headquarters of the Agency to Gaza and the signing of the Headquarters Agreement between the Agency and the Palestinian Authority;

4. Acknowledges the support of the host Government and the Palestine Liberation Organization for the Agency in the discharge of its duties;

5. Calls upon Israel, the occupying Power, to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[8] and to abide scrupulously by its provisions;

6. Also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[7] with regard to the safety of the personnel of the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

7. Calls once again upon the Government of Israel to compensate the Agency for damages to its property and facilities resulting from actions by the Israeli side;

8. Requests the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

9. Notes that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization[9] and subsequent implementation agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the United Nations Special Coordinator in the Occupied

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[10] Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13), annex I.

Territories, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

10. Notes also that the functioning of the Agency remains essential in all fields of operation;

11. Notes further the significant success of the Peace Implementation Programme of the Agency;

12. Urges all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/591)]

51/129. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General in pursuance of resolution 50/28 F of 6 December 1995,[1]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 1995 to 31 August 1996,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

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[1] A/51/371.

[2] A/51/439.

[3] Resolution 217 A (III).

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[4] and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Recalling that in the framework of the Middle East peace process the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[5] to commence negotiations on permanent status issues, including the important issue of the refugees, and calling for the commencement of those negotiations,

1. Reaffirms that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity;

2. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to preserve and modernize the existing records;

3. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. Calls upon all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. Urges the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

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[4] Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.

[5] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/591)]

51/130. University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992, 48/40 I of 10 December 1993, 49/35 G of 9 December 1994 and 50/28 G of 6 December 1995,

Having considered the report of the Secretary-General,[1]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1995 to 30 June 1996,[2]

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

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[1] A/51/476.

[2] Official Records of the General Assembly, Fifty-first Session, Supplement No. 13 (A/51/13).

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the progress made in the implementation of the present resolution.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/592)]

51/131. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the lasting impact of the uprising (intifadah) of the Palestinian people,

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[1] United Nations, Treaty Series, vol. 75, No. 973.

[2] Resolution 217 A (III).

[3] Resolution 2200 A (XXI), annex.

Convinced that occupation itself represents a primary violation of human rights,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[4] and the relevant reports of the Secretary-General,[5]

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization in Washington on 13 September 1993,[6] as well as the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip signed in Washington on 28 September 1995,

Expressing the hope that, with the progress of the peace process, the Israeli occupation will be brought to an end and therefore violation of the human rights of the Palestinian people will cease,

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Demands that Israel cooperate with the Special Committee in implementing its mandate;

3. Deplores those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;

4. Expresses concern over the recent deterioration of the situation in the occupied Palestinian territory, including Jerusalem, as a result of Israeli practices and measures and the impasse facing the Middle East peace process;

5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to

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[4] See A/51/99 and Add.1-3.

[5] A/51/514 and A/51/516-518.

[6] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;

7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its fifty-second session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its fifty-second session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/592)]

51/132. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[1] and the relevant reports of the Secretary-General,[2]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

[1] See A/51/99 and Add.1-3.

[2] A/51/514 and A/51/516-518.

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Demands that Israel accept the de jure applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. Calls upon all States parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[4] to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

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[3] United Nations, Treaty Series, vol. 75, No. 973.

[4] United Nations, Treaty Series, vol. 75, Nos. 970-973.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/51/592)]

51/133. Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan,

Welcoming the Middle East peace process started at Madrid and the agreements reached between the parties, in particular the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[2] and the Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,

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[1] United Nations, Treaty Series, vol. 75, No. 973.

[2] A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

Expressing grave concern over the decision of the Government of Israel to resume settlement activities in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties,

Gravely concerned in particular about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

Taking note of the report of the Secretary-General,[3]

1. Reaffirms that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. Calls upon Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. Demands complete cessation of all illegal Israeli settlement activities;

4. Stresses the need for full implementation of Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, inter alia, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory.

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[3] A/51/517.